

CRAIN, CATON & JAMES  
ATTORNEYS AND COUNSELORS  
3300 TWO HOUSTON CENTER  
HOUSTON, TEXAS 77010-1079  
(713) 658-2323

ALLEN JAMES  
DAVID L GRIFFIS PC  
THOMAS B GREENE III PC  
PATRICIA HAIR  
FRANK G HARMON III  
CHRIS A LORENZEN  
ROBERT J MALONE  
ROBERT E MORSE III  
P J MURPHEY HARMON

ROBERT F MAHER  
A BRANTON KOTCH  
VANCE CHRISTOPHER  
WILLIAM S RHEA IV  
MAUREEN KERRIGAN

CABLE ADDRESS  
CRAINCATON-HOU

TELEX  
77-5133

TELECOPIER  
(713) 658-1921

FRANK E CATON  
(1929-1984)

NEWTON M CRAIN JR  
(1914-1983)

July 11, 1988



Mr. David Dodgen (6E-ES)  
U.S. Environmental Protection  
Agency - Region VI  
1445 Ross Avenue  
Dallas, Texas 75202

Re: Administrative Order Docket No. CERCLA - VI -  
05-88 In the Matter of New England Mutual Life  
Insurance Company, et al.

Dear Mr. Dodgen:

Pursuant to Paragraph 20.d of the captioned Administrative Order, this correspondence is being submitted on behalf of International Distribution Corporation ("IDC") and Houston Transfer & Storage Co. as the Plan ordered by Region VI of EPA. The submission of this Plan should in no way be construed as an admission that EPA has jurisdiction to properly issue the captioned Administrative Order, and this correspondence should not be interpreted as an admission of liability under said Order.

Prior to receipt of the Order, IDC placed the drums in a closed trailer to further improve containment of their contents inside IDC's warehouse. IDC also commenced contact communications with authorized disposal companies, receiving one estimate of \$22,000.00 for sampling and off-site disposal of the drums (premised upon the drum contents actually being the same as previously listed in information earlier provided to IDC). IDC has also requested drum sampling data from Region VIII of EPA pursuant to the Freedom of Information Act, which data Region VIII has indicated it has and will provide.

Within the next seven days (i.e., by July 18, 1988) IDC will contact the Texas Water Commission and/or EPA to obtain



a transporter I.D. number for the purpose of future removal transport of the drums to a licensed disposal facility. With respect to financing the removal activity, IDC has already requested information from Region VIII regarding a trust fund established to cover the environmental liabilities of the manufacturer of the drum contents (Colorado Organic Chemical Co.), and IDC will be filing a "preauthorization" mixed funding request with EPA pursuant to 42 U.S.C. §9622(b)(1) by July 18, 1988. Within the same time period, IDC will also write the prior warehouse operator (Global Southport and/or Delta Bonded Service), who possessed the drums immediately prior to IDC taking over possession and who were involved in arranging for their transport to IDC, in order to seek contribution for the anticipated removal activities.

Following receipt of available sampling information from EPA - Region VIII, IDC will contact disposal companies to ascertain what, if any, additional sampling is necessary prior to drum shipment. Once a ruling is obtained on the "preauthorization" mixed funding request and any necessary additional pre-removal sampling and re-packing is accomplished, the drums will be transported by IDC to an authorized disposal facility or facilities as soon as the material can be scheduled for handling by the selected disposal company or companies. EPA's On-Scene Coordinator will be notified prior to any drum removal activity.

IDC intends to continue its efforts to accomplish proper drum removal on an expedited basis, reserving all rights it may have for contribution and/or indemnity.

Respectfully submitted,

CRAIN, CATON & JAMES

By: 

Robert E. "Robin" Morse, III

Attorneys for International  
Distribution Corporation and  
Houston Transfer & Storage Co.

REM/glm

July 11, 1988  
Page -3-

cc: Steven L. Parker, Esq. (6C-H)  
Office of Regional Counsel  
U.S. Environmental Protection  
Agency - Region VI  
1445 Ross Avenue  
Dallas, Texas 75202

John Meyer (6H-EC)  
U.S. Environmental Protection  
Agency - Region VI  
1445 Ross Avenue  
Dallas, Texas 75202

Peter P. Twining, Esq.  
Vice President and Counsel  
Copley Real Estate Advisors  
399 Boylston Street  
Boston, Massachusetts 02116

Douglas Walt, President  
International Distribution  
Corporation  
7198 Mykawa  
Houston, Texas 77033

John Lundblad

TDC